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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,480	10/05/2000	Yasuo Suzuki	197484US0	7558

22850 7590 09/27/2002

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EXAMINER

NOTE, JANIS L

ART UNIT PAPER NUMBER

1756

DATE MAILED: 09/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

- (1) Mr. John Pike (Reg. No. 41,253) (3)
(2) Janis L. Dote (PTO) (4)

Date of interview: Sep. 12, 2002

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: None

Identification of prior art discussed: None

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The examiner informed applicants' representative Mr. Pike that the RCE submission was not considered proper because applicants only filed a Rule 132 declaration. There were no remarks accompanying the declaration explaining how the declaration overcomes the prior art rejections. Mr. Pike stated that he believes that the submission of only the declaration is a sufficient submission under 37 CFR 1.114 as set forth in applicants' petition.

The examiner responded that she did not know the outcome of applicants' petition. Mr. Pike suggested that he could withdraw the petition and submit a response explaining why the Rule 132 declaration combined with the showing in the instant specification is sufficient to overcome the rejections.

The examiner informed Mr. Pike that if he did withdraw the petition and submitted the response, he may have to pay for a 3 month extension of time. The examiner stated that he might want to proceed with the petition because if the petition is granted, he would not have to file an extension of time.

The examiner stated that she would talk to a Special Program Examiner about the situation on Monday, Sep. 16.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

- ☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 of the second page of this form).

If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- ☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

PTOL-413 (REV. 2-93)

James L. Dato
Examiner's Signature



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- (1) Mr. John Pike (Reg. No. 41,253) (3)
(2) Janis L. Dote (PTO) (4)

Date of interview: Sep. 16, 2002

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: None

Identification of prior art discussed: None

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The examiner informed applicants' representative Mr. Pike that she had conferred with the Special Program Examiner (SPRE) about applicants' petition concerning the RCE filing in the application. The SPRE stated that he could not comment on applicants' petition since he had not seen it. The SPRE confirmed that applicants could proceed with either of the two options discussed in the telephone interview of Sep. 12, 2002.

Mr. Pike informed the examiner that for now he would like the Office to consider the petition. Mr. Pike also informed the examiner that the petition has a date stamp receipt of Aug. 22, 2002, and that the date for the four month of extension of time would be Oct. 8, 2002.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

- ☒ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 of the second page of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

- ☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

PTOL-413 (REV. 2-93)

Janis L. Dote
Examiner's Signature